

Sustainable Development Goals: an opportunity for the realisation of human rights in and by Germany

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Sustainable Development Goals

An opportunity for the realisation of human rights in and by Germany

In September 2015, the Heads of State and Government of all UN Member States will gather in New York to adopt the Sustainable Development Goals (SDGs). The SDGs are intended to result in sustainable advancements in economic, social and environmental issues. Unlike the Millennium Development Goals (MDGs), the SDGs will apply to all countries equally. This means that the SDGs need to be implemented through German foreign and development policy, but also and especially in Germany itself, in policy areas such as education, poverty and employment. Which opportunities do the SDGs offer for politics and society in Germany? This issue of "aktuell" offers information on the current stage of the debate and makes proposals for how human rights can facilitate the SDG process and how the SDGs can in turn help realize human rights.

1. What are the SDGs? Sustainability goals for every country

The Sustainability Development Goals (SDGs) will replace the Millennium Development Goals (MDGs), which expire in 2015. To kick-start the development of the new goals, the United Nations organised a participatory consultation process from 2012–2013. Between 2013 and 2014, the Open Working Group (OWG), made up of 70 UN Member States, held regular meetings and presented their proposal of 17 sustainability goals in July 2014 (see box). Currently, intergovernmental negotiations are taking place on the goals. In September, the 'Post-2015 Development Agenda' will be adopted at a summit of all Heads of State and Government in New York.

What's new about the SDGs?

- They will apply to every country and thus take account of today's globalised, multipolar world.
- They will be based on the broadest consultation process ever organised by the UN, allowing the goals to reflect the perspectives of several million people from all continents.
- They will combine economic, social and environmental issues, supporting countries in developing coherent and sustainable internal and external policies.

The 17 SDGs by 2030: Proposal of the Open Working Group

Goal 1	– End Poverty
Goal 2	– Food Security, Sustainable Agriculture
Goal 3	– Health
Goal 4	– Education
Goal 5	– Gender Equality
Goal 6	– Water and Sanitation
Goal 7	– Sustainable Energy
Goal 8	– Economic Growth and Decent Work
Goal 9	– Infrastructure, Industrialisation, Innovation
Goal 10	– Reduce Inequalities within and among Countries
Goal 11	– Sustainable Cities
Goal 12	– Sustainable Consumption and Production
Goal 13	– Climate Change
Goal 14	– Oceans and Marine Resources
Goal 15	– Terrestrial Ecosystems, Forests, Biodiversity
Goal 16	– Inclusive Societies, Access to Justice, Accountable Institutions
Goal 17	– Means of Implementation, Global Partnership

A reflection of human rights?

In June 2012 in Rio de Janeiro, the UN Member States agreed to develop sustainable development goals which "are consistent with international law", and thus also consistent with human rights.

Most of the proposed 17 SDGs correspond with human rights that the Member States have already committed to. These include for example the rights to health, to education or to a fair hearing before an independent tribunal. Human rights standards and principles have been considered in a number of the SDG proposals to a certain extent.

Alignment with human rights: Many of the proposed SDGs include key elements of economic, social and cultural human rights. Unlike the MDGs, they do not only focus on availability, but also on access to social services, as well as their affordability and quality. Gaps remain, inter alia, in goal 16 on institutions. This goal addresses civil and political rights but restricts their applicability through references to national law.

Participation: Participation increases ownership of those who participate as well as their support on implementation. This has been recognised for the international process and must now be ensured for implementation at the national level.

Inequality and discrimination: In addition to the goal on gender equality, the SDG proposal includes a general goal for the reduction of inequality and discrimination. Moreover, progress in the implementation of the goals shall be measured not only in national averages but also for marginalised groups. The explicit intention is to 'Leave No-One Behind'.

Accountability: To make progress visible, an effective review mechanism shall be established at the global, regional and national level. It remains to be seen if and how non-state actors can participate systematically in such review mechanisms.

Extra-territorial obligations: The SDG proposal suggests responsibilities of states beyond their borders. In doing so, it refers implicitly to the extra-territorial human rights obligations that the UN Member States have. However, the responsibility of business actors has not been sufficiently addressed yet.

2. What do the SDGs mean for Germany?

Opportunities and added value

The SDGs offer the German government the opportunity:

- to strengthen the links between economic, social and environmental policies and thus to improve policy coherence at the national and international level,
- to actively involve parliament and civil society in and thus increase understanding and acceptance of a political agenda for sustainability in society,
- to observe the effects of policies on different population groups on an on-going basis through coherent and participatory monitoring, to identify risks at an early stage and to ensure their situation in a targeted manner,
- to make improvements in many policy areas in Germany more visible and easier to measure through the further development of indicators and monitoring processes,
- to implement more effectively international human rights recommendations.

What has already been done?

The Federal Government defined the German position on the Post-2015 Development Agenda through an issues paper in February 2014 and a cabinet statement in December 2014. At the national level, the Federal Government informed the Bundestag, the German parliament, in February 2015 of the national relevance of the SDGs. The governing parties CDU/CSU and SPD, as well as the parliamentary group of the party Die Linke submitted motions on the SDGs. In its motion, the coalition government highlighted the fact that the SDGs are universally applicable and that industrialised countries should lead by example. Human rights aspects were mentioned only in relation to poverty and discrimination in Germany, particularly with regards to gender discrimination (this was also mentioned in the motion of the parliamentary group of Die Linke). In a motion as early as 2013, the parliamentary group of the party Bündnis 90/Die Grünen advocated for systematic participation of civil society, science and parliament in the Post-2015 process. In September 2014, the Federal Government decided to further develop the national sustainability strategy in order to implement the SDGs. Adopted in 2002, the strategy already dispose of institutions and mandates (see box).

The German National Sustainability Strategy Institutions and their Mandates

- **Federal Chancellery and State Secretaries' Committee:** lead, further development of the strategy
- **Council for Sustainable Development:** specialist expertise for the implementation and further development of the strategy
- **Parliamentary Advisory Council on Sustainable Development:** review of and guidance on legislative projects
- **Federal Statistical Office:** implementation report every two years

3. What action needs to be taken now?

In the coming months, the foundations will be laid for the implementation of the SDGs, both at the national and the international level. The current political discussion shows that government and parliament have recognised the relevance of the SDGs for Germany, as well as their relation to human rights. However, it is essential that the level of commitment shown for the Post-2015 Agenda is maintained during the on-going UN negotiations, for example by ensuring that Germany advocates for human rights-based indicators and a global accountability mechanism which regularly makes progress towards the SDGs visible. At the national level, the SDGs must be adapted in line with Germany's human rights obligations in a transparent and participatory process, they must be implemented through appropriate strategies and policies, and they must be reviewed using an effective national accountability mechanism.

International adoption of the SDGs

Under the lead of the Federal Ministry for Economic Cooperation and Development (BMZ) and the Federal Ministry for the Environment, Nature Conservation, Building and Nuclear Safety (BMUB), Germany is playing an active part in the negotiations ahead of the summit in New York in September. Currently, most Member States are in favour of adopting the list of goals and sub-goals as proposed by the Open Working Group. As a result, the discussion is shifting to questions around indicators and review.

Recommendations:

The lead ministries BMZ and BMUB should advocate for the following points in the on-going UN negotiations:

- The preamble, or **declaration** of the Post-2015 Development Agenda must stipulate the systematic

alignment of the SDG Agenda and its implementation with human rights. Language can be drawn from the Rio+20 Outcome Document, which mentions goals "consistent with international law" in paragraph 246.

- In case of further "technical proofing" of **targets**, as well as when developing **global indicators**, these must be systematically aligned with human rights, in particular by drawing on human rights experts from the UN system and civil society.
- An effective, multi-level **accountability mechanism** which builds on the experiences of the Universal Periodic Review (UPR) of the UN Human Rights Council. In particular, it should be based on reports from States, UN organisations and civil society.

National Adaptation of Targets and Development of national Indicators

In order to implement the SDGs, national targets need to be set, and national indicators need to be developed.

The Federal government, supported by the Council for Sustainable Development, is currently reviewing to which extent the German Sustainability Strategy already covers the SDG targets, and to which extent it needs to be adapted. Despite the fact that, in the current intergovernmental negotiations, the German government is calling for "transparent and inclusive" processes to develop national implementation strategies, German civil society has so far only been involved in certain aspects of this process. This may be due to the current management rules of the German Sustainability Strategy which are vague with respect to the role of civil society. In almost all areas of the SDGs, Germany has received recommendations from different UN human rights treaty bodies, for example in the areas of poverty, education, health, employment, discrimination, gender equality, and corruption. These point to protection gaps in Germany and confirm the urgent need for policy responses. The recommendations of UN treaty bodies can help adapt the SDG targets to the situation in Germany and offer coherent guidance also for other current processes such as the development of a national action plan on business and human rights.

So far, the Federal Statistical Office reviews the implementation of the German Sustainability Strategy in a report based on 21 indicators, issued every two years. The State Secretaries' Committee and the Federal Cabinet draw on this report to inform policies that are sustainable. The existing indicators of the German Sustainability Strategy now need to be complemented on the basis of the SDGs. Existing indicators are not systematically aligned with

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Germany's human rights obligations. For example, the National Sustainability Strategy does not include indicators on poverty reduction. An adaptation of the indicators offers Germany the chance to close this gap.

Recommendations:

- In order to formulate realistic but ambitious goals for Germany and to identify particularly vulnerable and marginalised groups, the German government should adapt the National Sustainability Strategy to the SDGs in a transparent and participatory process. In particular, the parliament and civil society should be involved systematically and from an early stage in the process. The process should involve not only actors with expertise on development and environmental policies but also actors with expertise in other, domestic policy areas. In addition, self-organisations of groups affected by discrimination must be involved, as well as, in the interest of sustainability, youth organisations led by young people. The same must apply to the implementation of the SDGs through the National Sustainability Strategy.
- In the interest of transparency, the Federal government should clarify in the adaptation process which ministries or subordinate authorities will be responsible for the implementation of the respective targets and corresponding action programmes.
- When implementing the SDGs for Germany, line ministries need to take into account the recommendations that the UN human rights treaty bodies have made to Germany. The adapted SDGs must be implemented effectively in all relevant policy.
- To ensure indicators that provide information on the realisation of human rights in Germany, the Federal Government should instruct the Federal Statistical Office to involve civil society and other actors with human rights expertise in the process to (further) develop indicators for the National Sustainability Strategy.

Developing a monitoring system

In the current intergovernmental negotiations, the Federal government is also advocating for an effective monitoring system at national levels to ensure that progress can be analysed and made visible. Such monitoring must also take place in Germany itself to ensure results can inform domestic policies. The discussion that is currently taking place in Germany around substantive sustainability assessment of legislative projects through the Parliamentary Advisory Council on Sustainable Development is thus very timely.

A national monitoring mechanism in Germany needs to be based on an assessment of the effectiveness of existing institutions in Germany's sustainability architecture as well the conditions under which they would be suited to implement the much broader agenda of the SDGs. It may, for example, be necessary to expand the expertise of the sustainability institutions to include the issues addressed by the SDGs as well as human rights expertise.

Recommendations:

- For the national review of the SDGs (as part of the national sustainability strategy), the Federal Government should develop a transparent and participatory monitoring system. The participation of civil society must be institutionalized, for example through consultations during the implementation and reporting process.
- All relevant parliamentary committees should review and discuss the government's SDG reports.
- When drafting government's SDG reports, the Federal government should systematically take into account the recommendations that the UN human rights treaty bodies have made to Germany, as well as alternative reports from civil society.
- The Federal government should consider how sustainability assessment of legislative projects (based on an adapted indicators set) can be conducted effectively, for example through ex-ante assessments at the level of line ministry level, or through expanded participation rights of the Parliamentary Advisory Council.
- All relevant line ministries should use the results of the review of the National Sustainability Strategy to inform relevant policies in a systematic and consistent manner.